

JUL 3 3 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Andrew J. Flint and Deborah E. Cool
Application No. : 09/788,626
Filed : February 13, 2001
For : ASSAY FOR PROTEIN TYROSINE PHOSPHATASES
Examiner : Yong D. Pak
Art Unit : 1652
Docket No. : 200125.401
Date : June 3, 2002

Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated May 3, 2002, applicants without traverse hereby elect Group I, claims 1-16, for examination at this time.

The Examiner also asserted in the Restriction Requirement that if applicants elect the invention comprising generic claim 8 (which is within Group I, along with dependent claims 9-16), then election of a single disclosed species of mutant protein tyrosine phosphatase is also required under 35 U.S.C. §121. In response to this further Restriction Requirement, applicants hereby elect a single disclosed species of mutant protein tyrosine phosphatase that is human PTP-1B, wherein at least one wildtype tyrosine residue is replaced with an amino acid that is phenylalanine and wherein the tyrosine that is replaced with phenylalanine is located at an amino acid position corresponding to amino acid position 46 in the human PTP-1B amino acid sequence (see, e.g., specification at page 20, line 28 through page 21, line 3; and Fig. 1).

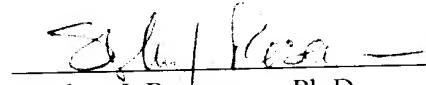
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In view of the above election, applicants hereby request withdrawal of claims 17-33 without prejudice to the filing of any divisional, continuation, or continuation-in-part application. Consideration of the elected claims is now requested.

Respectfully submitted,
Andrew J. Flint and Deborah E. Cool
Seed Intellectual Property Law Group PLLC



Stephen J. Rosenman, Ph.D.

Registration No. 43,058

SJR:kw

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
D:\NrPortbl\Manage\KARENWILL\289936_1.DOC

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TRANSMITTAL FORM

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Application Number	09/788,626
Filing Date	February 13, 2001
First Named Inventor	Andrew J. Flint
Group Art Unit	1652
Examiner Name	Yong D. Pak
Attorney Docket No.	200125.401

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TRADEMARK OFFICE**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input type="checkbox"/> Declaration	<input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
<input type="checkbox"/> Cited References	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	
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<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Request for Refund	

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	Stephen J. Rosenman, Ph.D.	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	June 3, 2002	